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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	Cr. No. 23-00041SOM
	)	
Plaintiff,	)	Defendant's Sentencing
	)	Memorandum
vs.	)	
	)	Exhibit A
ALDEN BUNAG,	)	
	)	Certificate of Service
Defendant.	)	
	)	

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## INTRODUCTION

Thirty-five-year-old Alden Bunag faces sentencing for one count of Production of Child Pornography in violation of 18 USC § 2251(a). Mr. Bunag requests that this Honorable Court impose a sentence of 180 months, based on the factors outlined in 18 U.S.C. § 3553(a).

## ARGUMENT

### **I. Given the Nature and Circumstances of Mr. Bunag's Offense and His History and Characteristics, the Sentence Requested Is Sufficient, But Not Greater Than Necessary, to Satisfy the Purposes of Sentencing.**

#### Youth and Young Adulthood

Mr. Bunag is the middle child of three siblings born to the same parents. His father is a retired career serviceman in the Air Force, and his mother is a stay-at-home mom. Due to his father's military career, the family frequently relocated, and Mr. Bunag spent a significant part of his youth growing up in Germany.

Growing up in a supportive and deeply religious family, Mr. Bunag's upbringing was influenced by their Christian Fundamentalist beliefs, particularly regarding the condemnation of homosexuality. Faith, religious devotion, and adhering to the values of the church played a significant role in his upbringing.

When Mr. Bunag was around 12 years old, he stumbled upon a collection of gay pornography. He really liked the gay porn, but due to the strict prohibition against homosexuality from his church and his culture, he tried never to allow himself to act on this interest.

Mr. Bunag describes his sexual orientation as bisexual. His sexuality, and viewing gay pornography, conflicted with the values he was taught to be considered good and pure in this world. Experiencing tremendous guilt and disappointment in

himself for these thoughts and desires, he believed that being attracted to someone of the same sex was wrong. Unable to talk to anyone or share his struggles, he suffered in silence.

In an attempt to “purify” himself and eradicate what he deemed sinful behavior, he stopped viewing pornography and tried to suppress any homosexual feelings. Beyond this, he avoided engaging in any intimate relationships out of fear that his perceived sin would resurface. He believed he had successfully “cured” himself and continued with his life.

In August 2004, Mr. Bunag and his family relocated from Germany back to Hawai‘i and settled in the Waikele area. He enrolled at Radford High School, starting in the 11th grade and graduated with his diploma in 2006.



Post-graduation, Mr. Bunag attended Leeward Community College, initially majoring in liberal arts. However, his career path shifted when he began working at an afterschool program at a local elementary school during his fourth semester. This change led him away from his own education for several years.

By 2008, Mr. Bunag found himself working in various educational-related positions, including continued employment with the Department of Education and leadership roles in his church’s afterschool programs. In 2012, he became an educational assistant at a local middle school, and aided special needs students with their schoolwork. Resuming his college journey in 2014, he enrolled at the

University of Hawai'i in the School of Education, later switching majors to Creative Media and graduating in 2016.

Around this time, it became evident that Mr. Bunag's belief that homosexuality was evil or bad, and that the cure was complete abstinence, was unhealthy. In 2015, his attempt at "purification" failed as he engaged in online pornography and exchanged explicit photos with others. Although he had turned away from his religion, his thought process remained influenced by its oppressive shame-driven stances. Denied a normal outlet for sexual exploration during his early pubescent years, he viewed his own homosexual desires as wrong, hindering his proper maturation. Unfortunately, he never received any help to process this significant trauma. It is with that backdrop that Mr. Bunag committed this offense.

After committing the underlining offense, Mr. Bunag spiraled into profound depression, grappling with the realization that his actions contradicted the principals instilled in him. The weight of guilt and shame became overwhelming, leaving him feeling trapped between the desire to confide in someone about what he had done and the fear of the potential consequences.

Over the subsequent five years, until his arrest, Alden sought solace and redemption by centering his life around his family and friends. As the sole remaining child residing with his parents, he dedicated himself to providing care and support for them, attempting to find a sense of purpose and healing amidst the sins of his past.



Bunag's Acceptance of Responsibility

*"I, Alden Bunag, accept responsibility for the crimes that I have committed. I recognize the severely detrimental effects that my actions had on the victims, their families, and every student associated with me."* – Alden Buang

Mr. Bunag's offense of conviction is very serious, one for which he acknowledges responsibility and recognizes the lasting trauma he inflicted upon MV1. He sincerely regrets his actions.

Upon being approached by agents investigating his connection with the teacher in Pennsylvania, Mr. Bunag voluntarily disclosed information about his involvement with the student. This act of confession demonstrates his acknowledgement of the gravity of his actions and a genuine desire to confront the consequences.

Mr. Bunag is someone who strives to improve himself and the lives of those around him each day. He does this through his own self-improvement and by giving of his time, talents, and education to all those around him. He shared his passion for photography and dance as an instructor, starting the after-school club. Furthermore, he has continued to do this while incarcerated by helping other incarcerated individuals study for the General Educational Development test and with their performance at the FDC talent show.

Bunag's Network of Family Support

*"We love and support Alden. We are deeply sorry for his wrongs and mistakes and apologize to anyone or any family affected by these serious actions. We request your leniency and assistance with rehabilitation."* – Danilo T. Bunag



As noted in Mr. Bunag’s Presentence Report (PSR), Mr. Bunag “has strong family support....[H]e was raised in a religious family with two loving parents.” PSR at 36, ¶2. His family is not in denial about Mr. Bunag’s actions, or the harm that he caused. But they do continue to support him and want to help provide him the treatment he needs to reintegrate back into the community safely after serving his period of incarceration. As the PSR concludes, this helps “lower the defendant’s likelihood of recidivism and suggest that he is amendable to rehabilitation.” *Id.*

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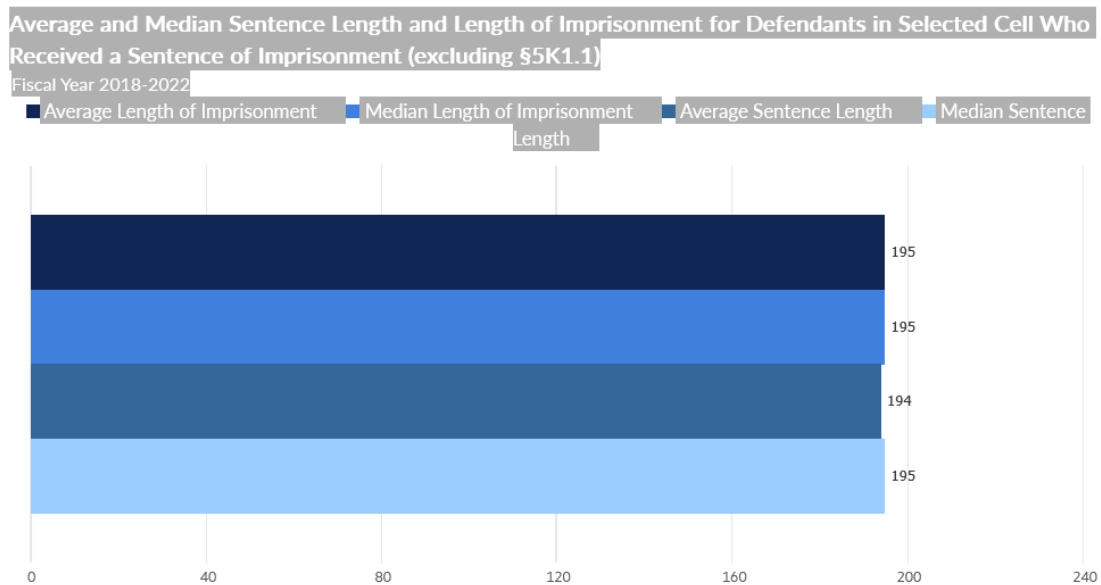
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## II. The Requested Sentence Avoids Unwarranted Disparities and Unwarranted Similarities

This Court must consider the “need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.” 18 U.S.C. § 3556(a)(6). The Judiciary Sentencing Information (JSIN) is informative in this regard. According to JSIN, during the last five fiscal years (FY2018-2022), there were 152 defendants whose primary guideline was §2G2.1, with a Final Offense Level of 37 and a Criminal History Category of I, after excluding those who received a §5K1.1 substantial assistance departure. For the defendants who received a sentence of imprisonment, the average length of imprisonment imposed was 195 months.



United States Sentencing Commission Judiciary Sentencing Information (JSIN), <https://jsin.ussc.gov/analytics/saw.dll?Dashboard>.

### CONCLUSION

For the reasons stated herein and further at the upcoming sentencing hearing, Mr. Bunag respectfully requests that the Court impose a sentence of 180 months which reflects both the gravity of Mr. Bunag's criminal conduct, and unique mitigating factors.

DATED: Honolulu, Hawai'i, January 11, 2024.

/s/ Jacquelyn T. Esser  
JACQUELYN T. ESSER  
Attorney for Defendant  
ALDEN BUNAG